

Pollinator Protection Committee Meeting Minutes: DRAFT & UNAPPROVED

December 7, 2016-Room 11, Statehouse Montpelier, VT

Committee members present

- Katie Ballard (KB)
- Eric Boire (EB)
- Terry Bradshaw (TB)-Chair
- Chris Conant (CC) by phone
- Ross Conrad (RC)
- Cary Giguere (CG)
- John Hayden (JH)
- Mike Palmer (MP)
- Leif Richardson (LR)
- Jane Sorensen (JS)

Linda Boccuzzo-administrative (LB)

1. Meeting convened at 9:35 AM.
2. Past meeting minutes were edited slightly. Eric Boire made motion to approve; Ross Conrad seconded. Minutes, with edits, were approved unanimously.
3. Linda provided a brief overview of how the Oregon Task Force conducted their voting process and categories provided for this Committee.
4. February 2nd 2017 was decided as the next meeting date. It was the next date that worked for all Committee members. Linda will reserve a conference room in Montpelier.
5. The document of pesticide recommendations was discussed. The date on the version was 11/30/2016.

CG made a motion to vote on all the recommendations in the categories designated “VAAFM Should update study materials and exams by appropriate industry, VAAFM should create new pollinator specific applicator categories/educational curricula for pollinators, VAAFM pollinator CEU credits and specific changes to Vermont Control of Pesticide Regulations or other Agency programs”. LR seconded.

General discussion about the recommendations. Most of the recommendations were directed at the Agency of Agriculture and would be sent to the Agency, but also included in the final report to the Legislature. Edits were made to the language of the proposed recommendations. A definition of “highly toxic to bees” will be provided in the report. In the recommendations, when the term ‘highly toxic to bees’ is used it will be defined as those active ingredients that are classified by as EPA Toxicity Category I, highly toxic to bees, and any other active ingredient designated by the state regulatory agency and/or Vermont Pesticide Advisory Council. A duplicative recommendation was removed. Recommendations as voted on are attached. JH made a motion to close discussion and vote. EB seconded. All members voted in favor of the recommendations to be sent to the Agency of Agriculture, Food & Markets from the Committee. (see attached)

JS made a motion to vote on “apiculture specific pesticides concerns” as a whole. MP seconded. Discussion. JS withdrew her motion.

Motion to vote on the 3rd box in the “apiculture specific pesticides concerns” by TB, seconded by KB. CG provided background about what a “section 18” is and how they are currently regulated. Industries within a state, tribe or territory petition the pesticide agency in the state, indicating that they need a specific pesticide, as there is no other viable option. The pesticide lead agency reviews the request, with

assistance from Extension or other research/technical staff and then petitions the EPA for the exemption. Discussion followed. JH made a motion to end discussion and vote. RC seconded. All members voted opposed to the recommendation.

A motion to vote on box #1 in the “apiculture specific pesticides concerns” was made by RC, seconded by MP. Discussion around changing the language to “sale and use” of the products identified. Members mentioned that coumaphos is not used by beekeepers due to detrimental effects in the hives. In the past some hives in Vermont have had resistance with fluvalinate. David Tremblay indicated he was unaware of anyone using either compound routinely in their hives. This item was motioned to be tabled, until the Vermont Beekeeping Association could weigh in after their annual meeting in January. (Motion JS, seconded KB-all members voted in favor of the motion to table).

A motion to vote on box #2 & 4 in the “apiculture specific pesticides concerns” was made by JS, seconded by RC. Edits to language were made to box 4 (shown as attached). JS made a motion to close discussion and vote. Seconded by RC. All members voted in favor.

CG provided the VAAFM proposal for Committee members to review.

Presentations:

1. Toby Alexander from VT NRCS presented on habitat and NRCS work about pollinator habitat. He noted that the habitat in Vermont is currently good for pollinators, although there are some areas of the state where there is a high intensity of row crops. VT NRCS has some planting guides for pollinator-friendly native northeastern plants. In general, the VT-NRCS when working on improving habitat is looking at multiple animal habitats (*e.g.*, songbirds, pollinators) and not only pollinators, unless that is the specified need on/near the farm. VT NRCS is planting pollinator habitat in the buffers required by the Act 64 on the farms they are working with. Plantings differ on whether the buffer strip is to be harvested or not.
2. Mike Kiernan from Bee the Change presented on work his company does on solar panels farms.
3. Jarod Wilcox’s submittal to the Committee was identified.

Motion to extend the meeting to 1PM was made by JS, seconded by KB. All voted in favor. After voting, CC had to leave the meeting.

Discussion of plans for the February 2nd meeting. Linda has contacted the Agency of Natural Resources for their habitat recommendations. Request for a slight extension of Committee will be needed. CG to contact legislature. Habitat and remaining pesticide recommendations to be discussed/voted on at the next meeting.

Motion to close meeting by JS, seconded by EB. Motion approved by TB, RC, MP, LR, KB, JH, JS, EB, CG. CC absent. **Meeting adjourned 12:56PM**

Submitted LAB 12/9/2016

Others attending

- Toby Alexander, VTNRCS
- Mike Kiernan, Bee the Change
- Margaret Laggis, CropLife America
- David Tremblay, Agency of Agriculture
- Craig Di Giammarino, VTrans
- Nat Shambaugh, public
- Anne Cary Dannenberg
- Mike Kiernan, Bee the Change

Agency proposal

The Agency of Agriculture, Food & Markets acknowledges that there are risks and benefits to the use of treated seeds in Vermont: to human health, the environment, and farms. Knowing that there is a potential for unintended consequences of a moratorium on neonicotinoid-treated seeds, in terms of both dairy farm viability and alternative chemical usage (toxicity, quantity), the Agency feels that an adequate state-specific characterization of the impacts is lacking. To move forward, in the most efficient manner, the Agency suggests that using the authority granted by the Legislature in 2016, under Act 99, an evaluation be commenced to make an appropriate recommendation to the Secretary.

VPAC should be tasked with carefully evaluating social, economic and environmental impacts in the context of Vermont. The evaluation should include monitoring of the environment, dairy farms, and pollinator health and an assessment of all of the recent data collected by the US EPA.

- Recommendation from this Committee to the Secretary of Agriculture to initiate a review of treated corn and soybean seed. Incorporating all the recent studies and economic assessments from the data call-ins and work done by US EPA, PMRA and California.
- Enhance our apiculture program to increase inspections, create outreach materials for the pesticide certification and training program, promote non-chemical mite management strategies, and provide training on hive management and pollinators.
- Strengthen statutes about bumblebee and honey bee colony and queen importation, so as to reduce the amount of pests entering into our managed and native pollinator populations.
- Improve tracking of pesticide sales, use and concurrent environmental monitoring (hives, soil, water) to assess and track pesticides in Vermont and provide meaningful data for decision-makers.
- Also, that the legislature extends the lifetime of this committee in order to draft the states pollinator protection plan.

Recommendations APPROVED on 12/7/2016

Used in these recommendations "highly toxic to bees" means those active ingredients classified as EPA Toxicity Category I, highly toxic to bees, and any other active ingredient designated that is designated by the state regulatory agency and/or Vermont Pesticide Advisory Council (VPAC).

Apiculture specific pesticides concerns	The Vermont Agricultural and Environmental Laboratory should expand its analytical testing to all pesticides and breakdown products that research has previously identified in bee hives (over 170 compounds) in honey or native bees, brood, comb, pollen, or honey.
	The Agency of Agriculture, Food & Markets should survey the use of in-hive miticides by beekeepers during annual apiary registration. Identify areas for reduction or education.
VAAFM Should update study materials and exams by appropriate industry	All pesticide applicators that are testing for certification in Vermont should receive specific educational materials related to pollinator health and impacts of pesticides on pollinators. These materials would be included with the CORE manual required for study for all certifications.
	The Agency of Agriculture, Food & Markets should ensure that all CORE and private exams have appropriate questions about pollinator protection.
	For applicators seeking commercial, non-commercial or government applicator certification in categories 1A-Agricultural Plant, 1B-Agricultural Animal, 2-Forest Pest, 3A-Ornamental & Shade Trees, 3B-Turf, 6-Right-of-way, 7A-Structural & Rodent Control, 7B-Mosquito & Biting Fly industry-specific educational materials with pollinator health & pesticides best management practices should be included in study materials.
	The Agency of Agriculture, Food & Markets should ensure that all category-specific exams listed above have appropriate questions about pollinator protection and related best management practices for that industry.
	The Agency of Agriculture, Food & Markets and UVM Extension should increase awareness of the potential synergistic effects of neonicotinoid pesticides and certain demethylating pesticides and promote strategies and practices to reduce potential impacts.
	The Agency of Agriculture, Food & Markets should increase awareness of non-target impacts of the use of Bti products in mosquito control on other pollinating fly species.
	The Agency of Agriculture, Food & Markets should increase awareness of non-target impacts (beneficial moths, butterflies) of the products used to control gypsy moth and agricultural moth/butterfly pests.
	All pesticide dealers that are testing for licensure in Vermont should receive specific educational materials related to pollinator health and impacts of pesticides on pollinators. These materials would be included with the dealer manual required for study. Topics described in word document.
VAAFM should create new pollinator specific applicator categories/educational curricula for pollinators	The Agency of Agriculture, Food & Markets should create a standard educational curriculum for bee keepers in the state. The curriculum would address pesticide use in the hives as well as the other pillars of pollinator health and best management practices. (This could be a certification program)
	The Agency of Agriculture, Food & Markets should create a specific category and certification process for applicators that wish to treat in managed honey bee hives that they do not own. ("Commercial application of hives.")
	Incorporate pollinator protection into the Agency of Agriculture, Food & Markets policy for credit approval.

VAAFM pollinator CEU credits	The Agency of Agriculture, Food & Markets should require specific pollinator-related CEUs for recertification.
	The Agency of Agriculture, Food & Markets, UVM and the ANR should provide more targeted trainings on pollinator protection, making it available for CEUs for recertification.
	Include periodic educational articles about pollinator health research in the pesticide applicator newsletter distributed by the University of Vermont Extension and the Agency of Agriculture, Food & Markets to all certified applicators in the Vermont.
Specific changes to Vermont Control of Pesticide Regulations or other Agency programs	Vermont Regulations for the Control of Pesticides should specify: Apply pesticides that are highly toxic to bees when there is less chance for exposure to managed or native pollinators: early morning or late evening.
	Vermont Regulations for the Control of Pesticides should specify: Applications of pesticides that are highly toxic to bees shall provide buffers to native pollinators. This should be accomplished by either: A fifty (50) foot buffer from pollinator foraging sites, such as natural and semi-natural areas or intentional pollinator plantings OR A twenty (20) foot width non-pollinator-attractive vegetative barrier higher than the spray release height with an established 60% plant density
	Vermont Regulations for the Control of Pesticides should specify: Reduce drift by applying pesticides when winds are less than 9 mph and there is a low risk of inversion.
	Vermont Regulations for the Control of Pesticides should specify: Avoid application of fungicides to plants attractive to pollinators when plants are in bloom.
	Vermont Regulations for the Control of Pesticides should specify: Avoid the use of soil fumigants.
	The Agency of Agriculture, Food & Markets should revise the Regulations for the Control of Pesticides, specifically identifying managed and native pollinators and their habitat as an environmental concern in the regulations and permit language.
	1. The Agency of Agriculture, Food & Markets should put in place a robust program to track the amount of pesticides being released within the state on a yearly basis (as many types and uses as possible, including treated articles) to assess if the amount released in Vermont's environment is growing, declining or remaining static.
	2. Develop a state-wide goal of reducing the amount of pesticides that are highly toxic to bees that are released into the environment within the state each year. Success to be evaluated by monitoring of yearly use (see item #1)
	3. Develop a state-wide goal of reducing the amount of pesticides and their breakdown products that are found in bee hives (pollen, comb, honey etc).
	4. Vermont should institute a statewide program of Integrated Pest and Pollinator Management (IPPM) through UVM Extension to gather and disseminate information on ways for producers across all agricultural sectors to limit wherever feasible, toxic pesticide use that may harm pollinators: The program should include efficiency (using only the amount needed to get the job done), conservation (not treating unless there is a verified problem), the prioritization of chemicals that have lower toxicity and/or lower persistence when it comes to pollinator health, and consider using non-toxic/non-chemical alternatives to pesticides whenever feasible.

The Agency of Agriculture Food & Markets should track all pesticide use and set goals for pesticide reduction.

The Agency of Agriculture Food & Markets should work with the UVM Extension program to set specific IPM thresholds before use of pesticides, identify less toxic options for farmers, and reduce overall use of pesticides.

Recommendations that were not approved -status in parentheses at the end	
Apiculture specific pesticides concerns	Cancel the registration of pesticide products that contain tau-fluvalinate (Apistan) and Coumophos (Checkmite+) for the control of Varroa mites by beekeepers within the state of Vermont. (TABLED)
	Ban the use of pesticides approved by the EPA under Section 18 Emergency Exemption until studies are conducted and enough data collected to verify the pesticide's approved use is safe for pollinators when used as directed by the product label. (OPPOSED)